

**9152. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 48 Bottles and 33 Bottles of \* \* \* Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12756, 12757. I. S. Nos. 18217-r, 481-r. S. Nos. E-2270, E-2271.)**

On or about June 3 and July 22, 1920, respectively, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and on or about July 15, 1920, an amended libel in one of the cases, praying the seizure and condemnation of 48 bottles and 33 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Island Pond and Burlington, Vt., respectively, consigned by J. A. E. Gauvin, Lowell, Mass., alleging that the article had been shipped on or about September 10, 1919, and August 23, 1917, respectively, and transported from the State of Massachusetts into the State of Vermont, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (shipment of September 10, 1919) (bottle) "\* \* \* For \* \* \* 'La Grippe,' Whooping-Cough, & all affections of the Throat & Lungs," (carton, English and French) "Recommended for \* \* \* La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs: \* \* \* La Grippe, Whooping-Cough and all Throat and Lung Diseases," (circular) "\* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs. \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption. \* \* \* Tuberculosis \* \* \* ailments of the Chest; \* \* \* Spasmodic Coughs, \* \* \* " (French) "\* \* \* used against all affections of the throat, bronchi and lungs \* \* \* Gauvin Cough Syrup is fully indicated for treatment of the most serious cases of colds, bronchitis, the most obstinate catarrhs, asthma, whooping cough, grippe, hoarseness, influenza and the first stages of consumption \* \* \* tuberculosis and \* \* \* epidemic grippe \* \* \* diseases of the chest \* \* \* gastric disorders," (shipment of August 23, 1917) (bottle) "\* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all Affections of the Throat & Lungs," (carton) "\* \* \* Recommended For \* \* \* 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. \* \* \* for all Diseases of the Respiratory Organs," (circular) "\* \* \* the greatest possibilities of a radical cure. \* \* \* highly recommended for all Affections Of The Respiratory Organs. \* \* \* its persistent use produces a beneficent relief in serious as well as desperate cases. \* \* \* A remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes, and Lungs. \* \* \* the use of Gauvin's Syrup in the treatment of more severe cases of \* \* \* Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proved conclusively the efficacy of this remedy. \* \* \* especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs, \* \* \* it will relieve the worst cases. \* \* \*," which statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it.

On January 6, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9153. Adulteration of canned pumpkin. U. S. \* \* \* v. 122 cases \* \* \***  
**Each Containing 24 Cans of Old Mill Pumpkin. Default decree of**  
**condemnation, forfeiture, and destruction: (F. & D. No. 13186. I. S.**  
**No. 8289-r. S. No. C-2071.)**

On August 13, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 122 cases, more or less, each containing 24 cans of Old Mill Pumpkin, remaining in the original unbroken packages at Battle Creek, Mich., alleging that the article had been shipped by the Rossville Canning Co., Rossville, Ill., on December 10, 1918, and transported from the State of Illinois into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Old Mill Pumpkin, Rossville Canning Co., Rossville, Ills."

It was alleged in substance in the libel that the article was adulterated for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9154. Misbranding of Kellogg's Sanitone Wafers. U. S. \* \* \* v. 10**  
**Dozen Packages of Kellogg's Sanitone Wafers. Default decree of**  
**condemnation, forfeiture, and destruction. (F. & D. No. 13299. I. S.**  
**No. 9407-t. S. No. E-2576.)**

On August 25, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen packages of Kellogg's Sanitone Wafers, remaining in the unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the F. J. Kellogg Co., Battle Creek, Mich., on or about May 28, 1918, and transported from the State of Michigan into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "The Uses of Chromium Sulphate in Medicine. \* \* \* We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article. \* \* \* Cystitis \* \* \* prostatic enlargements \* \* \* uterine fibroid tumors \* \* \* Herpes preputialis \* \* \* cirrhosis of the female breast, castration, menopause, functional impotency in men, chronic alcoholism, nervous vomiting and vomiting in pregnancy, \* \* \* neurasthenia, exophthalmic goiter, and locomotor ataxia are of particular interest and importance. Results from this salt (chromium sulphate) are speedy and striking. In \* \* \* neurasthenia it deserves the unique position of being the only drug which is curative, \* \* \* Locomotor ataxia is curable with chromium sulphate. \* \* \* The wafers have chromium sulphate as their chief ingredient."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of pills containing essentially salts of iron and chromium, a laxative plant extractive, capsicum, and a trace of strychnine.